

**Remarks of  
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to the  
NEW HAMPSHIRE MOTOR TRANSPORT ASSOCIATION  
KEY WEST, FLORIDA  
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Thank you for inviting me to be here with you today.

Safety is at the very heart of our mission at the U.S. Department of Transportation and FMCSA. And President Bush and this Administration are committed to fostering the safest, most secure national transportation system possible. So, the Department of Transportation is actively working to enhance and improve safety, security, economic growth, job creation, and traffic flow.

We are not willing to accept what has become far too commonplace--people dying on our roads every day. In 2002, nearly 43,000 people died on our nation's highways. Nearly 5,000 of them were in truck-involved crashes.

In addition to the human cost, the cost of these crashes on our overall economy and health-care system is staggering. In 2000, motor-vehicle crashes consumed \$32.6 billion in the area of medical costs. The entire Federal budget for our national highways is \$33 billion, which means that Americans paid as much in medical costs related to motor-vehicle crashes as the Federal government did to repair, maintain, and build our roads.

Under Secretary Mineta's leadership, we are taking new approaches, finding new solutions, and working with our valued partners, to achieve a higher level of safety and security for all Americans.

**Safety Goal**

FMCSA is committed to achieving the U.S. Department of Transportation's highway safety goal — reducing the fatality rate in all motor vehicle crashes by 41 percent from 1996 to 2008. As part of the overall departmental safety goal, FMCSA's goal is to reduce commercial vehicle crash fatalities to 1.65 fatalities per 100 million miles of truck travel. Achieving our safety goal will be challenging because commercial vehicle miles of travel are increasing at a rate faster than passenger car miles of travel.

Even though trucks have greater exposure — in terms of vehicle miles driven — we have seen some significant truck safety progress. During each of the last 5 years, there has been a downward trend in truck-related fatalities. Last year, truck-related fatalities were the only highway traffic safety category to go down, and by an amount that was the most significant in a decade. Commercial motor vehicle crashes in New Hampshire have decreased since the year 2000.

We need to foster safety partnerships with the NHMTA and other stakeholder groups. Working together, we can make our Nation's roads and your industry even safer.

### **Reauthorization**

There are a number of important safety initiatives underway at FMCSA and the U.S. Department of Transportation.

Last year, the President transmitted to Congress the Department of Transportation's highway reauthorization proposal. SAFETEA — The Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 — is the largest surface and public transportation investment in U.S. history. At \$256 billion, SAFETEA would fund our Nation's transportation priorities without raising gas taxes, without increasing the federal deficit, and without taking money from other important programs.

The proposal is organized along three themes: Safer, Simpler, Smarter. SAFETEA provides a framework to maintain and to grow the transportation infrastructure. It provides funding to reduce fatalities and increase security on our highways.

The Administration has expressed its willingness to work with Congress to pass a responsible bill as soon as possible. Earlier this month, the Senate missed an opportunity to show spending restraint when it passed a surface transportation bill with a much higher price tag. In fact, it was \$62 billion higher, or almost 25 percent more spending than in the President's proposal.

Both of your senators — Judd Gregg and John Sununu — stood with President Bush, and called for a more fiscally responsible bill. Many of their colleagues, however, did not, and the more expensive transportation bill passed. Senators Gregg and Sununu deserve thanks for their commitment to the President's principles.

Now, the U.S. House of Representatives is considering transportation legislation with an even higher price tag than the Senate version. And it would raise gas taxes every year for the next six years. Current proposals that include higher gas taxes and deficit spending would dampen the opportunity for lasting economic growth.

In contrast, the President's plan means solid investment in the economy through better roads, good construction jobs, and most importantly, more money in taxpayers' wallets. That is precisely why President Bush is prepared to veto any transportation bill that would raise gas taxes, increase the federal deficit, or take money from other important programs.

### **SAFETEA Provisions**

SAFETEA is critical to safe and secure transportation; it is critical to improved motor carrier safety. SAFETEA promotes strong and targeted law enforcement, efficient data gathering, and effective use of new safety management systems.

Also, SAFETEA will help us:

- Fulfill new entrant and border responsibilities;
- Fund commercial vehicle safety and research programs; and

- Complete our administrative infrastructure as a new agency.

SAFETEA structures FMCSA grants into four programs totaling \$1.4 billion during the six-year authorization period. Here are the highlights of the grant programs.

### **Motor Carrier Safety Assistance Program (MCSAP)**

MCSAP remains the PRIMARY way we fund safety improvements. State grantees will continue to have the flexibility to invest in areas of the greatest need.

Grant plans will be tied to each State's Strategic Highway Safety Plan. Your FMCSA Division Administrator can tell you more about the Safety Plan.

Under SAFETEA, up to \$17 million is provided to support State-conducted new entrant safety audits.

**Commercial Driver License (CDL) Improvements** — State compliance reviews continue to find deficiencies in CDL license program oversight. SAFETEA provides \$22 million funding total in FY 2004--an \$11 million increase. This money funds improved State control and oversight of State licensing, and enhanced management control practices to detect and prevent fraud.

**Border Enforcement** — Because border safety activities remain a high priority, SAFETEA provides \$32 million total — in Fiscal Year 2004. SAFETEA establishes a grant program for State enforcement activities at the Canadian or Mexican borders. The Secretary would be able to make grants to States and other entities for a wide range of special activities relating to safe cross-border CMV operations.

**Performance and Registration Information Systems Management Program** — PRISM links safety fitness to vehicle registration at the State level. The program identifies high-risk carriers based on their actual on-road performance. For example, an unsafe carrier would be prohibited from registering their vehicles. New Hampshire and 31 other States have implemented the PRISM Program. I applaud the State for participating in this key safety program and hope that you continue to support the State in this and other safety initiatives.

### **Other SAFETEA Provisions**

In addition to grants, our re-authorization proposals aim to strengthen our enforcement programs. Jurisdictions would get greater flexibility to use MCSAP funding for traffic enforcement around large trucks. The Agency's enforcement reach would be extended to the intrastate operations of interstate carriers. For example, we could consider inspection and crash records of both inter- and intrastate trips when determining the safety fitness of a motor carrier.

SAFETEA provisions would enable us to suspend, amend, or revoke the Federal registration of a for-hire motor carrier if any of its officers has engaged in a pattern or practice of avoiding compliance, or concealing non-compliance. SAFETEA increases penalties for out-of-service

and false documentation. Last, SAFETEA would create a standing medical examiners register and a medical advisory panel.

### **Regulation Development**

What's on FMCSA's agenda for '04? Passage of SAFETEA is first on the list, but not the ONLY thing on the list. So, while Congress debates the next re-authorization bill, FMCSA is working hard to reduce the backlog of overdue rulemakings. We are making good progress. At the start of 2003, we had 41 open rulemakings. By the end of 2003, we had 29.

I've directed staff to reduce the number even further this year. And I'm confident the total number will shrink, even as new rulemakings are added. After all, FMCSA published 83 *Federal Register* documents in the last 17 months. In the last six months alone, 49 such documents have been published. This includes everything from notices for vision exemptions, establishing an insulin-treated diabetes program, proposed rules on driver training, and the final rule on Hours of Service.

The list of requests for changes to our regulations never seems to diminish. Without a new reauthorization, the authority to fund new rulemaking activities just doesn't exist. As a result, the list of requests will get longer.

### **Data Improvements**

Another area of importance is that of data. Data drive our programs and provide the scientific basis from which the Agency makes decisions. But the engine that powers this effort needs a tune-up. The average time to upload a crash report to FMCSA is 120 days, a full month greater than called for by Federal guidelines. The average time to upload an inspection is 36 days. The guidelines call for 21 days.

By law, we are required to implement measures that improve and maintain the quality of our data. Our proposed legislation provides monies to fund data analysis initiatives, such as the Large-Truck Crash Causation Study and Commercial Vehicle Analysis Reporting System.

By working with NHTSA and a number of pilot States, we hope to implement new data collection and reporting approaches and determine best practices that will result in critical improvements to our safety programs when implemented nationally in future years.

### **SafeStat**

The Department's Inspector General has finished an audit of the SafeStat process. The audit report found SafeStat generally calculates scores consistent with its design, and a 1998 study by the Volpe National Transportation Systems Center supported the model's validity.

The purpose of SafeStat is to be a "pointer," to help us identify high-risk motor carriers. SafeStat does not provide a safety rating. The safety performance history of these high-risk carriers is investigated by FMCSA through compliance reviews. Carrier safety ratings are based on compliance review results.

Generally, the audit report recommended improved systems for correcting inaccurate data, improved systems for tracking of corrective actions, and plans to improve and to ensure the quality of SafeStat data. The FMCSA shares the OIG's concern for improved data quality.

FMCSA has already implemented, or is in the process of implementing, a number of improvements to address the recommendations outlined in the report. The report does not note any evidence to substantiate the assertion that data problems make good carriers look bad.

### **Enforcement and New Entrants**

Good data is important because it helps us focus our enforcement activities in the right direction. FMCSA relies heavily on enforcement operations conducted at the State level. Enforcement helps save lives, and is the key to maintaining compliance with safety regulations. We will continue to work with you to focus our enforcement activities — compliance reviews, roadside inspections, and traffic enforcement — to make our roads safer.

New entrants represent a big enforcement challenge. More than 40,000 new carriers enter the industry every year. New motor carriers have a disproportionate share of large truck highway incidents. We, and our State partners, intend to perform face-to-face audits of these new carriers to assess their safety status and provide necessary education. Three key areas will be evaluated: knowledge and applicability of safety regulations, safety management systems, and safety readiness.

FMCSA is also working on an initiative to strengthen the new entrant safety audit to increase our ability to identify unsafe motor carriers before they have crashes.

### **Hours Of Service**

As you know, the Hours of Service regulation underwent a big overhaul. We estimate the changes will save up to 75 lives and prevent as many as 1,326 fatigue-related crashes annually.

So far, FMCSA is pleased with the implementation of the new HOS regulations. The decision to emphasize education, not enforcement, during the first 60 days of the compliance period was a good one. Despite some dramatic predictions about the impact of the new rules, drivers are telling us they are working to comply with the rule. We're hearing thoughtful questions and witnessing a sincere desire to follow the new regulations.

We are working hard to clarify enforcement provisions for our State law enforcement partners and to answer questions from carriers, drivers and shippers. A team of staff HOS experts receives, analyzes, and answers HOS questions. If you have specific rule questions, call our HOS hotline at 1-800-598-5664 or visit the FMCSA Web site — [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). See the HOS Frequently Asked Questions document posted on the site.

### **Driver Background Checks**

Another initiative that I know many of you have concerns about is background checks for hazardous materials drivers. Unfortunately I don't have a lot of information to share with you about this topic. The Transportation Security Administration (TSA) within the Department of Homeland Security is working hard to implement the provisions of the USA PATRIOT ACT.

I will assure you that we are, using our experience in working with the States to implement the CDL program, working with TSA to implement these provisions in the most efficient and effective way possible.

**New Hampshire Weight Limit Exemption Study**

During the coming year, DOT will be working closely with the New Hampshire Department of Transportation to conduct a study to evaluate the safety, economic and infrastructure impacts of a weight limit exemption on Interstates 89 and 93. As the plans for the study progress, we'll keep you informed about key developments through our working relationship with your association.

**Closing**

Your partnership is extremely important to us. What matters is that we all work together to ensure safety and protect our families.

I appreciate the opportunity to address you all this morning. We look forward to working with you to continue to decrease commercial motor vehicle related crashes.